

REMARKS

In the Office Communication of August 20, 2008, the Examiner indicated that the reply filed June 3, 2008, was not fully responsive for failing to indicate all the claims readable on the elected species. Applicant hereby provides the required indication of readable claims.

In the Restriction Requirement of March 3, 2008, the Examiner had further required election of a single and specific species for each of the following species:

isotope labels (e.g., claims 1, 13-16, 26);

organic metabolite or organic metabolite precursors to said cell (e.g., claims 1, 24, 25, 35;

diagnostic or therapeutic agents (e.g., claims 41, 42, 46-47)

In the reply of June 3, 2008, Applicant provided the following elections. Applicant hereby re-presents those elections, with an indication of claims readable on the elected species, either in whole or in part.

isotope label: ^2H ; claims readable on, in part or in whole: 1-47;

organic metabolite or organic metabolite precursor to said cell: H_2O ; claims readable on, in part or in whole: 24-47;

diagnostic or therapeutic agent: **therapeutic agent**; claims readable on, in part or in whole: 20-23, 41-43, and 46-47.

Applicant expressly reserves the right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No.: 03-1952** referencing **416272003800**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated:: September 22, 2008

Respectfully submitted,

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